



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

March 10, 2011

Mr. Phillip Isenberg, Chairman
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

Dear Mr. Isenberg:

Comments Regarding First Staff Draft Delta Plan

The release of the First Staff Draft of the Delta Plan is a welcome and encouraging milestone for the Delta Stewardship Council in its planning process to complete a final plan by the end of this year. The Metropolitan Water District of Southern California supports the process developed by the Delta Stewardship Council to release a series of subsequent drafts to provide ample public participation and comment throughout the process.

Metropolitan recognizes the preliminary nature of this first draft and how key details will be emerging in subsequent drafts. The overall structure of the draft Plan appears to be a workable platform for the creation of a successful, final document. At this early stage, Metropolitan would like to convey comments on this first draft in three important areas:

1. **Scope of Delta Plan.** Metropolitan strongly supported the 2009 package of legislation that led to the creation of the Delta Stewardship Council and its crafting of a Delta Plan to serve as a much-needed tool to guide and coordinate the actions of local, state and federal agencies. It is important to keep the focus of the Delta Plan process in the direction provided by the legislation and address the issues of the legal Delta. Broadening of the Delta Plan effort beyond that scope would be duplicative of other water management planning efforts by a variety of other governmental entities and could jeopardize the development of a successful and timely final plan.
2. **Chapter 5 – Manage Water Resources.** The end of Chapter 5 includes a series of categories “to be considered as a basis for development of policies and recommendations for performance measures and targets to manage water resources.” The Delta legislation of 2009 directs the Delta Stewardship Council to promote a more reliable water supply, promote statewide conservation and promote options for new and improved infrastructure relating to

water conveyance in the Delta. This role of promoting sound water management is distinct from the role of other existing governmental agencies, including Metropolitan, to realize these goals. A variety of state mandates and local/regional efforts already exist pertaining to water use efficiency, recycled water and groundwater management, as a few examples. In many of these categories, the state, working with interested stakeholders, has already developed policies and recommendations, and in some cases performance measures. Any successful promotion by the Delta Stewardship Council of sound water management practices must recognize and be in concert with these existing efforts.

Last year, Metropolitan completed a two-year process of updating Southern California's long-term water strategy, our Integrated Resources Plan, which touches on many of the categories identified in the draft Delta Plan. As we have offered in the past, Metropolitan would welcome an opportunity to review our Integrated Resources Plan with the Delta Stewardship Council to advance the public understanding of Metropolitan's long-term water plan for Southern California and to advance the Council's ability to promote sound water practices statewide.

In addition, staff comments at the February 25 Delta Stewardship Council meeting suggested that the Delta Plan may consider future renewals of contracts for the State Water Project and Central Valley Project as "covered actions" that are subject to the Council's non-binding consistency review process. The Legislature provided no direction to the Council for such an action. The Delta Stewardship Council should avoid establishment of a double standard in its Delta Plan that treats one set of water users differently than another. There are many other exporters of water from the Delta watershed along with many users of water within the watershed. To the extent there are issues related to their usage these are handled by the State Water Resources Control Board. That is the appropriate forum to address these issues and individual entities rights and contracts should not be addressed on an ad hoc basis by a duplicative Delta Stewardship Council process.

3. **Chapter 8 – Reduce Risks to People, Property, and State Interests in the Delta.** The Delta Plan should include a comprehensive strategy of promoting strategic levee investments in order for California to meet the co-equal goals of ecosystem restoration and water supply reliability in the Delta. An effective strategic levee investment plan must do the following: (1) identify the potential improvements with the greatest benefits so that funds can be expended accordingly; (2) explicitly state that levee improvements be commensurate with benefits; (3) reference the previous reports by the Public Policy Institute of California and UC Davis that have concluded that not all Delta islands are economically sustainable; and (4) promote the successful evolution of some islands to habitat.

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The Delta Plan should also reference the ongoing initiatives addressing Delta emergency preparedness as vital for the protection of life and property, and for the protection of Delta water supplies. The DWR Delta Flood Emergency Preparedness, Response and Recovery Program, being undertaken in coordination with the U.S. Army Corps of Engineers Delta Emergency Operations Plan, local emergency operations plans and water stakeholders, and within the boarder auspices of the Office of Emergency Services, is due for draft release in 2011. This Program covers a range of emergency response strategies from isolated single-island failures, up to and including major catastrophic multiple-island failures causing disruption to the vast majority of the Delta and to water exports. This Program is expected to improve response and minimize recovery time in the Delta focusing on (1) life, property, critical infrastructure and environment, (2) water quality impacts of interests reliant on the Delta, and (3) coordinated sequential or simultaneous response to isolated or multiple levee breaks.

Metropolitan worked closely with the State and Federal Contractors Water Agency in the preparation of their detailed comments on the draft Delta Plan submitted to you on March 3, and we support those comments. We appreciate the opportunity to comment on this First Draft Delta Plan and look forward to future refinements of this vital planning effort for the Delta.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Kightlinger". The signature is fluid and cursive, with the first name "Jeff" and last name "Kightlinger" clearly distinguishable.

Jeffrey Kightlinger
General Manager